# INTERNAL AFFAIRS BUREAU
# SHOOTING REVIEW SUMMARY
# IAB #SH2198436

**Involved Employees:** **Andrew Toone, Deputy Sheriff, [redacted]**

**[redacted]**

**Date:** **July 5, 2007 (Thursday)**

**Time:** **1055 hours**

**Location:** **[redacted] S. Keene Avenue, Compton, California 90220**

## SYNOPSIS

At the above date and time, Compton Station Deputies Andrew Toone [redacted] and [redacted] were conducting a patrol check of the above location, an area known for narcotics and gang problems. During that time, they saw [redacted] MB/17, walking east on the north sidewalk. He looked in the direction of the deputies, immediately grabbed his waistband, and began walking faster in an attempt to elude deputies. Believing the subject may be concealing a weapon or narcotics they decided to stop Subject [redacted] and contact him.

As Deputy Toone drove closer to Subject [redacted] Deputy [redacted] exited the passenger side of the marked patrol vehicle and ordered Subject [redacted] to stop. The subject turned quickly away from the deputies, attempting to take cover behind a parked motor home. As Deputy [redacted] continued after the subject he saw Subject [redacted] lift the front of his shirt, revealing the butt of a firearm tucked in his waistband. Deputy [redacted] immediately yelled to Deputy Toone that the subject was armed. Subject [redacted] continued to run away from the deputies, westbound, into the middle of 148th Street, with Deputy [redacted] following behind. At this time, Deputy Toone could see Subject [redacted] rounding the west side of the motor home directly in front of him, holding a pistol, with Deputy [redacted] following behind. As Subject [redacted] continued running he turned his upper body towards Deputy Toone, raising his firearm directly at the deputy. Fearing for their safety, both deputies fired their firearms at the subject, striking him once in the back of the left thigh. The subject attempted to continue running from the deputies but he collapsed approximately 10 yards away. As he fell to the ground he dropped the firearm, which landed several feet away from where Subject [redacted] was lying. The deputies safely approached the subject and handcuffed him, awaiting the arrival of paramedics and assisting deputies.

**WORK HISTORY**
DEPUTY TOONE:

Date of Employment: [redacted]
Date Assigned to Patrol:
Date Completed Patrol Training:
Date Assigned to Compton Station:
Prior Shooting Incidents:
Prior Founded Force Incidents:

[redacted]

Date of Employment: [redacted]
Date Assigned to Patrol:
Date Completed Patrol Training:
Date Assigned to Compton Station:
Prior Shooting Incidents:
Prior Founded Force Incidents:

**SUBJECT INFORMATION**
[redacted] Booking [redacted], MB/17, DOB: [redacted]
[redacted]

**CRIMINAL HISTORY**
Subject [redacted] is [redacted] Prior to this incident, Subject [redacted] had [redacted] Subject [redacted] denied being a Campanella Park gang member.

**NON DEPARTMENT WITNESSES**
The neighborhood was canvassed for witnesses by Sheriff's personnel. Although many witnesses saw subject [redacted] with a gun and heard gunshots, no one witnessed the actual shooting.

> **IAB Note:** For witness statements conducted by Homicide Bureau detectives see transcribed interviews.

**INJURIES**
Subject [redacted] sustained a through-and-through gunshot wound to his left thigh, and was treated and released the same day to [redacted] No Deputies were injured.

## IAB INTERVIEW OF INVOLVED EMPLOYEES STATEMENTS

*The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the audio recorded interviews and verbatim transcriptions.*

### TOONE, ANDREW, [redacted] Deputy Sheriff

Deputy Toone was interviewed by Internal Affairs Bureau investigators, Sergeant Laura Haynes and Sergeant Ben Garcia, at the Internal Affairs Bureau office on July 14, 2008, at 1100 hours. He was represented by attorney Derald Brenneman of the Law Offices of Green and Shinee and the interview was digitally audio recorded.

Deputy Toone said he was driving east on 148th Street at Keene Avenue, with Deputy [redacted] as his partner, when they observed the subject walking east on the north sidewalk. As they approached the subject's location, they saw he appeared to be holding something in his waistband with his right hand. Deputy Toone drove the patrol vehicle onto the lawn at the location as Deputy [redacted] exited the vehicle as it came to a stop. Deputy [redacted] followed the subject telling him to stop. The subject did not stop and continued to flee from the Deputies around a large Winnebago parked on the street. As Deputy [redacted] kept a visual on the subject, the subject lifted his shirt, allowing Deputy [redacted] to clearly see a gun tucked in his waistband. Immediately upon seeing this, Deputy [redacted] alerted his partner, Deputy Toone, that the subject was in possession of a firearm. Deputy [redacted] rounded the east side of the Winnebago following the subject, who was now running westbound on 148th Street. Deputy Toone exited the black and white and followed Deputy [redacted] Prior to reaching the far east side of the Winnebago, Deputy Toone saw the subject running westbound on 148th street and, realizing his partner was running behind, waited for Deputy [redacted] to appear so they could be parallel to one another with the subject in their line of sight in front of them. As Subject [redacted] continued running and saw Deputy Toone to his right, he raised his firearm, pointing it at Deputy Toone who, fearing for his life and Deputy [redacted], fired his county-issued Beretta at Subject [redacted] Subject [redacted] attempted to continue running but collapsed a few feet away, where he was safely handcuffed, and awaited paramedics.

### [redacted] Deputy Sheriff

Deputy [redacted] was interviewed by Internal Affairs Bureau investigators, Sergeant Laura Haynes and Sergeant Ben Garcia, at the Internal Affairs Bureau Office on July 14, 2008 at 1010 hours. He was represented by Derald Brenneman of the Law Offices of Green and Shinee and the interview was digitally audio recorded.

Deputy [redacted] said he and Deputy Toone were patrolling the area of 148th Street and Keene Avenue which is a known narcotics and gang area. They saw Subject [redacted] walking eastbound on

the north sidewalk, wearing a distinctive baseball cap with a red "C" on the front, identifying him as a possible Campanella Park gang member.

When Subjec[redacted]saw the Deputies, he immediately grabbed his waistband, quickened his pace and attempted to run behind a large motor home parked on the street facing westbound. As Deputy Toone drove the radio car onto the lawn, north of the motor home, Deputy[redacted]was already out of the passenger side of the patrol vehicle, yelling to Subject[redacted]to stop. Subject[redacted]ignored the deputy's orders and started running eastbound towards the rear of the large motor home. Deputy [redacted]followed and saw Subject[redacted]lift the front of his shirt, exposing the wooden handle of a weapon. Deputy[redacted] immediately yelled to Deputy Toone, [redacted] He's got a gun. He's got a gun." Deputy[redacted]continued running after Subject[redacted]as he ran back westbound on 148 th Street on the south side of the motor home.

Deputy[redacted]could now see Deputy Toone emerging from the north side of the motor home as Subject[redacted]ran past, raising his weapon toward Deputy Toone. Deputy[redacted]said he heard a pop. Thinking Subject[redacted]was firing at Deputy Toone or himself, he fired what he remembered as two times from approximately ten feet away. Subject[redacted]fell to the ground, grabbing the rear portion of his left leg as a gun fell out of his hand, sliding across the street, coming to rest in the gutter. Subject[redacted]began yelling at the deputies, "You shot me mother fuckers." Deputy Toone reported a [redacted] and when assisting units arrived, Subject Bell was safely handcuffed.

## SUBJECT STATEMENTS

Refer to transcribed interview of Subject Statement by Homicide Bureau detectives.

## PHYSICAL EVIDENCE

Refer to page 54 in the Homicide Bureau book (**Exhibit A**) for a diagram of the scene
Refer to pages 29 through 31 and page 37 in the Homicide Bureau book (**Exhibit A**) for evidence

## INVESTIGATOR'S OBSERVATIONS

Internal Affairs Bureau Sergeant Laura Haynes was assigned to complete the shooting review upon the retirement of Internal Affairs Bureau Sergeant Marshall Baird, who was initially assigned to handle and who responded to the shooting scene on July 5, 2007. Therefore, no investigator's observations are available.

## WEAPONS USED BY DEPUTY PERSONNEL

Deputy Toone fired four rounds of Department-issued 9mm ammunition from his Department-issued model 92FS 9mm semiautomatic Beretta pistol, serial #BER[redacted]

Deputy[redacted]fired one round of Department-issued 9mm ammunition from his Department-issued model 92FS 9mm semiautomatic Beretta pistol, serial #BER[redacted]

## WEAPON USED BY SUBJECT

One model 38 Military and Police double-action six-shot Smith and Wesson revolver,

serial #S869220, loaded with four live .380 auto rounds.

## PROPERTY DAMAGE

Refer to pages 30 and 31 in the Homicide Bureau book (**Exhibit A**).

## CRIMINAL INVESTIGATORS

Homicide Bureau Detectives Frank Salerno and Rick Green

## LIGHTING AND WEATHER CONDITIONS

The incident occurred during clear, sunny, daylight hours in the summer in Los Angeles County on July 5, 2007 at 1055 hours.